GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Allegation of acquisition of assets disproportionate to the known sources of income against Sri J.Ganesh, S/o Appa Rao, formerly FRO at Narsipatnam, Visakhapatnam District – Found guilty of the charges and convicted by the Orders of Hon'ble Court of Spl.Judge for SPE & ACB Cases, Visakhapatnam, dated 15.05.2015 in C.C.No.21/2006 – Imposition of punishment of dismissal from service against Sri J.Ganesh, Forest Range Officer – Orders-Issued.

ENVIRONMENT, FORESTS, SCICENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.MS.No. 72 Dated: 03-11-2017
Read the following :

1. From the Director General, Anti-Corruption Bureau, Hyderabad, Letter No.Rc.No.59/RCA-WVP/2002, dated:18.06.2002.
2. From the DG, ACB, Lr.Rc.No.59/RCA-WVP/2002-S11, Dt.26.07.2005.
3. G.O.Ms.No.13, EFS&T(For.IV) Department, Dated:27.01.2006.
4. From the Hon'ble Court of Spl.Judge for SPE & ACB Cases, Visakhapattanam, Judgment, Dated:15.05.2015 in C.C. No.21 of 2006.
5. Orders of Hon'ble High Court of AP, dt.21.05.2015 in CRL.AMP.No.721 of 2015 in CRL.A.No.473 of 2015.
6. Govt. Letter.No.5547/For.IV/A1/2002, EFS&T Dept., dt.31.05.2016.
7. From the DG, ACB, Lr.Rc.No.59/RCA-WVP/2002-S11, dt.04.05.2017.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau has stated that Sri J.Ganesh, formerly Forest Range Officer at Narsipatnam, Visakhapatnam District had acquired assets disproportionate to the known sources of his legal income by indulging in corrupt practices. During the course of investigation, it is found that there is prima facie case against the A.O. Sri J.Ganesh, formerly FRO, who acquired assets worth Rs.1,65,20,480/-.

2) In the reference 2nd read above, the Director General, Anti Corruption Bureau, Hyderabad in his final report has informed that the Accused officer, Sri J.Ganesh acquired and possessed assets disproportionate to his sources of known income of his legal to a tune of Rs.1,65,20,480/- during the check period from the date of entry into Government service i.e. 08.11.1993 to 09.04.2002 i.e., date of searches, and recommended to prosecute the accused officer Sri J.Ganesh, formerly Forest Range Officer in a Court of Law for the offence punishable under Sections 13(2) read with 13(1) (e) of the Prevention of Corruption Act, 1988.

3) In the reference 3rd read above, Government have accorded sanction for prosecuting the accused officer Sri J.Ganesh, formerly Forest Range Officer, in competent Court of Law for the offences punishable under Section 13(2) read with 13(1) (e) of the Prevention of Corruption Act, 1988.

4) In the reference 4th read above, the Hon'ble Court of Spl.Judge for SPE & ACB Cases, Visakhapatnam in its Judgment Dated:15.05.2015 in C.C.No.21/2006 held that "the AO is found in possession of disproportionate assets to a tune of Rs.41,44,834/- and found guilty of the charge u/s 13(1) (e) read with 13(2) of Prevention of Corruption Act and he is convicted of the same u/s 248 (2) Cr.P.C." and "the accused officer is sentenced to suffer rigorous imprisonment for five years and to pay a fine of Rs.1,00,000/- (Rupees One Lakh only) in default to suffer simple imprisonment for 1 (one) year for the charge U/s. 13(1) (e) read with 13(2) of Prevention of Corruption Act.

5) In the reference 5th read above, the Hon'ble High Court in its order dated:21.05.2015 in CRL.A.MP.No.721 of 2015 in CRL.A.No.473 of 2015 "Considering the facts and circumstance of the case, the sentence of imprisonment is suspended and the petitioner is enlarged on bail on his executing bond for Rs.50,000/- with two sureties for the like sum each to the satisfaction of the Special Judge for SPE & ACB cases, Visakhapatnam".

6) In the reference 6th read above, Government decided to await the judgment of the High Court in CRL.A.No.473 of 2015 and consider the request of the A.O. to continue him into service till the said judgment of the High Court pending in the High Court.

7) In the reference 7th read above, the Director General, Anti Corruption Bureau has quoted the legal position propounded by the Hon'ble Supreme Court in State of Tamilnadu Vs Jaganadhan 1996 scale (5) 382 and in K.C.Sareen Vs CBI, Chandigarah (2001 (6) sec 584) and requested to dismiss the A.O. i.e., Sri J.Ganesh, formerly FRO, from service immediately.

8) Government have examined the entire matter carefully and reviewed the letter issued in the reference 6th read above and decided to impose a punishment of dismissal from service against Sri J.Ganesh, formerly Forest Range Officer at Narsipatnam, Visakhapatnam District, as he was found guilty of the charges and convicted in the Hon'ble Court of Spl.Judge for SPE & ACB Cases, Visakhapatnam, in its Judgment Dated:15.05.2015 in C.C.No.21 of 2006 under clause (x) of Rule 9 read with sub-rule (i) of Rule 25 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 read with G.O.Ms.No.2, General Administration (Ser.C) Department, dated 04-01-1999.

9) Now, therefore, in exercise of the powers conferred under clause (x) of Rule 9 read with sub-rule (i) of Rule 25 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 read with G.O.Ms.No.2, General Administration (Ser.C) Department, dated: 04-01-1999, Government hereby order to impose punishment of dismissal from service against Sri J.Ganesh, formerly Forest Range Officer, Narsipatnam, Visakhapatnam District, as he was found guilty of the charges and convicted by the Hon'ble Court of Spl.Judge for SPE & ACB Cases, Visakhapatnam, Judgment Dated:15.05.2015 in C.C.No.21 of 2006.

10) The Prl.Chief Conservator of Forests, A.P., Guntur shall take necessary action in the matter accordingly and acknowledge the receipt of the order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri J.Ganesh, S/o Appa Rao,
formerly Forest Range Officer, Narsipatnam, Visakhapatnam District,
through the PCCF, A.P., Guntur.
The Prl. Chief Conservator of Forests & HoFF, A.P., Guntur.
Copy to:
The Director General, Anti-Corruption Bureau, Vijayawada.
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Secretary, AP Vigilance Commission, Velagapudi.
The Director or Treasuries and Accounts, Ibrahimpatnam,
Vijayawada, A.P.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER